തൃശ്ശൂർ (ബിൽഡിംഗ്സ്) ഡിവിഷൻ എക്സിക്യൂട്ടീവ് എഞ്ചിനീയർ ആഫീസിൽ ധനകാര്യ വകുപ്പ് നടത്തിയ ഇൻസ്പെക്ഷൻ

184 (3061) ശ്രീമതി റോസമ്മ ചാക്കോ : താഴെ കാണുന്ന ചോദ്യങ്ങൾക്ക് വിദ്യാഭ്യാസവും മരാമത്തും വകുപ്പുമന്ത്രി സദയം മറുപടി നൽകുമോ :

(എ) പൊതുമരാമത്ത് വകുപ്പ് തൃശ്ശൂർ (ബിൽഡിംഗ്സ്) ഡിവിഷൻ എക്സിക്യൂട്ടീവ് എഞ്ചിനീയർ ആഫീസിൽ ധനകാര്യവകുപ്പ് 1998-99-2000 വർഷങ്ങളിൽ ഇൻസ്പെക്ഷൻ നടത്തിയിട്ടുണ്ടോ ;

(ബി) ഉണ്ടെങ്കിൽ ഇൻസ്പെക്ഷൻ റിപ്പോർട്ട് പൊതുമരാമത്ത് വകുപ്പിന് ലഭിച്ചിട്ടുണ്ടോ ;

(സി) റിപ്പോർട്ടിൽ എന്തെങ്കിലും ക്രമക്കേടുകൾ നടന്നതായി രേഖപ്പെടുത്തിയിട്ടുണ്ടോ; റിപ്പോർട്ടിന്റെ കോപ്പി ലഭ്യമാക്കാമോ ;

(ഡി) ഈ റിപ്പോർട്ടിൻമേൽ എന്തു നടപടി സ്വീകരിച്ചു എന്ന് വ്യക്തമാക്കാമോ ;

(ഇ) ഇല്ലെങ്കിൽ ഇതിൻമേൽ അടിയന്തിര നടപടി സ്വീകരിക്കുമോ ?

ഉത്തരം

(എ) ഉണ്ട്.

(ബി) ലഭിച്ചിട്ടുണ്ട്.

(സി) കോൺട്രാക്ടർമാർ സമർപ്പിച്ച ബില്ലുകളിൽ കാലതാമസം വരുത്തുകയും ബില്ലുകളുടെ സീനിയോറിട്ടി മറികടന്ന് പേയ്മെന്റ് നടത്തിയതായും രേഖപ്പെടുത്തിയിട്ടുണ്ട്. (റിപ്പോർട്ടുകളുടെ പകർപ്പ് അനുബന്ധമായി ചേർത്തിട്ടുണ്ട്.)†

(ഡി & ഇ) 30-10-1998-ലെ ധനകാര്യ വകുപ്പ് ഇൻസ്പെക്ഷൻ വിംഗിന്റെ റിപ്പോർട്ടിലെ ശുപാർശ പ്രകാരം തൃശ്ശൂർ ബിൽഡിംഗ്സ് ഡിവിഷൻ എക്സിക്യൂട്ടീവ് എഞ്ചിനീയർ ശ്രീ. ഒ. പി. ചാക്കോയ്ക്കെതിരെ 26-5-1999-ൽ കുറ്റപത്രം നൽകിയിട്ടുണ്ട്. 9-11-1999-ലെ ഇൻസ്പെക്ഷൻ റിപ്പോർട്ടിലെ ശുപാർശകൾ സർക്കാർ പരിശോധിച്ചു വരുന്നു.

ചവറ തെക്കുംഭാഗം-ദളവാപുരം-പള്ളിക്കോടി പാലം

185 (3062) ശ്രീ. ബേബി ജോൺ : താഴെ കാണുന്ന ചോദ്യങ്ങൾക്ക് വിദ്യാഭ്യാസവും മരാമത്തും വകുപ്പുമന്ത്രി സദയം മറുപടി നൽകുമോ :

(എ) ചവറ നിയോജകമണ്ഡലത്തിലെ തെക്കുംഭാഗം-ദളവാപുരം-പള്ളിക്കോടി പാലത്തിന് ഏത് വർഷമാണ് സർക്കാർ ഭരണാനുമതിയും പ്രത്യേകാനുമതിയും നൽകിയത് പ്രസ്തുത ഉത്തരവുകളുടെ പകർപ്പുകൾ നൽകാമോ ;

† അനുബന്ധം XV

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അനുബന്ധം - XV

[23-3-2000-ലെ നക്ഷത്രചിഹ്നമിടാത്ത ചോദ്യം നമ്പർ 184 (3061) -ന്റെ 'സി' ഉത്തരം ദയവായി കാണുക]

REPORT ON ENQUIRY CONDUCTED IN THE OFFICE OF THE EXECUTIVE ENGINEER, P. W. D. BUILDINGS DIVISION, THRISSUR.

Based on the orders of Hon. Minister (Finance) in a petition received from Sri. K. J. Rajan, Contractor, Finance (Inspection Wing- NT) Department conducted an enquiry in the Office of the Executive Engineer, P. W. D. Buildings Division, Thrissur on 30-10-1998. Sri. O.P. Chacko, Executive Engineer and Sri. P. Surendran, Divisional Accountant were present in the Office.

The allegation raised aganist the Executive Engineer and Divisional Accountant is overdue payment on account of bills submitted. The petitioner has stated that he had completed all the works allotted to him satisfactorily and submitted the bills and was approved by the Assistant Engineer concerned. But so far the Executive Engineer has not passed the bills for payment. He also stated in the petition that, although there is a standing judgement of the Hon. High Court of Kerala, requiring the P. W. D. paying officers to make payment on bills strictly as per the orders of priority, the Executive Engineer has not adhered to that, the bills of other contractors lower in the priority order have been paid.

As per the Letter of Credit issued vide G.O. (Rt) No. 5862/98 Fin dated, 26-8-1998, about Rs. 2.50 lakhs had been allotted by the Chief Engineer (B & LW), form which all of his bills could have been cleared, but Executive Engineer and Divisional Accountant have not followed the rules and even the direction of the Chief Engineer, Vigilance has been overlooked, for making payment of bills of contractors on whom they have special interest.

The inspection team verified the Seniority Bill Register. It is found that the order of seniority was not observed in the case of payment of bills. The details of such payments are as follows:

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Sl. No.	Date of registration of the Bill	Name of Contractor	Name of Work	Nature of Bill and No.	Amount Rs.	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)
38 97-98	27-6-1997	Sri. K. J. Rajan	VVIP Visit work.	First & Final 5/95-96	46,608	Not Paid.
39 97-98	"	"	"	79/95-96	53,786	"
41 97-98	"	"	"	283/95-96	48,887	"
50 97-98	15-7-1997	Sri. P. O. Antony	VVIP Visit Work	First & Final 225/88-89	24,066	Paid on 12/1997
51 97-98	"	"	"	72/95-96	40.157	"
52 97-98	"	"	"	282/95-96	23,509	"
53 97-98	"	"	"	248/95-96	26,026	6/1998
55 97-98	"	"	"	237/95-96	47,305	31-3-1998
57 97-98	"	"	"	201/89-90	38,118	8/1998
103 97-98	3-9-1997	Sri. C. G. Mani	VVIP Visit work.	234/95-96	47,299	8/1998
105 97-98	"	"	"	251/95-96	49,910	3/1998
108 97-98	"	"	"	75/95-96	40,489	8/1998
109 97-98	"	"	"	253/95-96	54,982	3/1998

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The above statement reveals that the Executive Engineer has not favoured the order of seniority in the case of payment of bills received in the office. In this connection it may be seen that the Executive Engineer, P. W. D. Building Division, Thrissur has not strictly adhered to the orders of the Court contained in the judgement relating to observance of seniority of bills and also to desist from sending proposals to Finance Department for special Letter of Credit violating the Court's Orders.

The Statement of the Executive Engineer for not adhering to the orders of the court relating to the observance of seniority of bills and not to carryout the directions of the Finance Department to desist from sending proposals to Finance Department for Special Letter of Credit violating the Courts Orders are not reasonable on the ground that the concerned orders have not been received in the Office of the Executive Engineer whereas the above instructions is seen endorsed and sent by the Chief Engineer to all the Executive Engineers of P. W.D. Roads Division and Executive Engineers P. W. Roads as per Endt. No. FB1- 22301/96. dt. 5/96. The above instructions are applicable to the Executive Engineer, P. W. D. Buildings Division also.

The remarks of the Divisional Accountant in the case of payments out of order of seniority was also not taken into its spirit by the Executive Engineer.

The foregoing lapses of the Executive Engineer proves that he had played nepotisum and favouritism in the case of payment of bills with out observing the orders of seniority. He hasn't adhered to the orders of Court also in this regard.

In the circumstance, the Executive Engineer may be asked to take immediate steps for paying the pending bills according to strict order of senoirity of submission. He may also be asked to furnish sufficient reason for not having adhered to the orders of court in observing the orders of seniority. The concerned officials should desist from causing hardship and financial stringency to the deserved. As this is a case involving non-complian of Government Orders issued on the basis of the Court judgement, disciplinary action may be initiated against the Executive Engineer concerned. The action taken may be reported to this wing also.

For PRINCIPAL SECRETARY (FINANCE)

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REPORT OF INSPECTION IN THE OFFICE OF THE EXECUTIVE ENGINEER, BUILDINGS DIVISION, THRISSUR.

In a petition submitted by Sri. Joy John Parappilly, Government Contractor, Parappilly House, Ramavarmapuram. P.O, Thrissur has accused that the Executive Engineer, Buildings Division, Thrissur has delayed the payment for the following 4 works executed by him during 3/99 inspite of funds and Letter of Credit.

Sl. No.	Name of work	Bill No. and Date
(1)	(2)	(3)
(1)	Construction of Jeep Shed at Taluk Office, Thrissur.	Bill No. 281/98-99 dated: 29-3-1999
(2)	Works for urgent Special repairs, Dy. I.G., Central Panga Office, Dy. S. P., Crime Branch, Thrissur.	Bill No. 291/98-99 dated: 29-3-1999
(3)	Additional facilities for computerisation in Sub-Treasury, Thriprayar	Bill No. 307/98-99 dated: 31-3-1999
(4)	Construction of Jeep Shed Dy. S. P., VACB, Thrissur.	Bill No. 1/99-2000 dated: 7-4-1999

It has also alleged that the Executive Engineer has overlooked the seniority of the Contractor in the work 'Construction of Jeep Shed, Taluk Office, Thrissur'.

Based on the above petition this Wing has conducted an enquiry in the Office of the Executive Engineer , Buildings Division, Thrissur on 9-11-1999 on the alleged matter and the findings are as follows:

2059-60-053-99-other Buildings, (1) Construction of Jeep shed at Taluk Office, Thrissur (Bill No. 281/98-99 dated : 29-3-1999)

The above work was executed as per AS. No. 64/98-99 dated : 20-11-1998 with an estimate cost of Rs. 50,000. Date of commencement: 10-3-1999. Date of completion : 9-5-1999. Agreement No. 42/98-99 dated: 10-3-1999. The payment aganist this has been made as per CBV. No. 13 D pf 9/1999 as per Cheque No. B(a) 486682 dated: 14-9-1999 for Rs. 58,110.

The Executive Engineer has explained that the bill was delayed since during the execution of work certain items had been exceeded considerably for which no satisfactory reason was given by the Assistant

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Engineer/Assistant Executive Engineer was the reply given by the AEE aganist the extra items was not at all convincing to him, hence the bill was returned to the sub division .The passed bill was received back in the division office only on 4-9-1999 and payment was effected on 14-9-1999.

(2) Construction of Jeep Shed at the Office of Dy. S. P., VACB, Thrissur (Bill No. 1/99-2000 dated : 7-4-1999)

The work was executed as per As. No. 64/98-99 dated: 20-11-1998 with an estimate cost of Rs. 89,837. Agreement No. 43/98-99 dated : 11-3-1999. The payment aganist this work was made as per CBV. 49D of 10/99 vide cheque No. 894557 dated : 30-10-1999 for Rs. 1,20,353.

The reason for the delay was that the reason for the excess aganist certain items were not explained by the Assistant Executive Engineer while submitting the Bill. The Executive Engineer has stated that the reason for the excess explained by the Assistant Executive Engineer was not convinced to him and hence the bill was returned to the Sub-Division on 26-10-1999. The same was received back on 29-10-1999 and payment was effected on 30-10-1999.

The Executive Engineer has also stated that funds were reserved for the above two bills for making payment.

The following bills were seen made payment by overlooking the seniority under the head of account 2059-60-053-99- other building.

Sl. No.	*Bill No.*	*Name of work*	*Name of contractor*	*Cheque No & Date*
(1)	*(2)*	*(3)*	*(4)*	*(5)*
1.	298/98-99 dt. 31-3-1999	Providing iron grills to visitors room in Govt. Hospital, Thriprayar.	G. V. Raghavan	Ch. No. 497730 dt. 31-3-1999 (Rs. 38,674)
2.	18/99-2000 dt. 1-6-1999 19/99-2000 dt. 1-6-1999	Annual maintenance of non-residential building of Engg. College, Thrissur.	K. C. Jose	No. 489762 dt. 30-6-1999 (Rs. 2,52,273)
3.	27/99-2000 dt. 11-6-1999	Urgent Repairs to Thondy room of Munsiff's Court Building, Vadakkanchery	V. S. Veeravu	No. 489751 dt. 28-6-1999 (Rs. 50,560)

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(1)	(2)	(3)	(4)	(5)
4.	31/99-2000 dt. 16-6-1999	Spl. Repairs to Buildings and construction of toilet to AEO's Office, Vadakkancherry.	B. Pramod	No. 486666 dt. 30-8-1999 (Rs. 64,354)
5.	55/99-2000 dt. 8-7-1999	Annual miantenance of Residential building of Engg. College, Thrissur for 98-99.	K. C. Jose	No. 894515 dt. 28-9-1999 (Rs. 2,54,590)
6.	56/99-2000 dt. 8-7-1999	-do	-do-	-do-
7.	57/99-2000 dt. 13-7-1999	Urgent Spl. repairs to the Admn. Block at Thrissur.	C.G. Lekshmanakumar	No. 486661 dt. 30-8-1999 Rs. 4,39,739
8.	58/99-2000 dt. 13-7-1999			
9.	62/99-2000 dt. 14-7-1999	Urgent Spl. repairs to Lab and Science Block.		

2059-01-051-99- Office Building

Urgent Special Repairs to the Office of the DIG, Central Range and Dy. S. P. , Crime Branch, C. I. D. Thrissur (Bill No. 291/98-99 dated : 30-3-1999)

The work was executed as per AS. No. D2 -2991/98 dated : 17-11-1998 for Rs. 1,40,000.

Agreement No. 40/98-99 dated : 10-3-1999

Date of commencement : 10-3-1999

Date of completion : 3 months (9-6-1998)

The payment aganist the work was seen made as per CBV 10 D of 11/99 vide Cheque No. B(a) 894564 dated : 1-11-1999 for Rs. 2,10,878.

Certain additional works have seen executed in addition to the original agreement. While submission of the bill Executive Engineer requested the Assistant Executive Engineer to submit R. E. and comparative statement. In the file on 6-10-1999 the Executive Engineer has remarked that the explanation called for from the Assistant Executive Engineer is not replied yet so as to take a decision on the above. The Bill has been returned to the Assistant Executive Engineer to close the bill accordingly.

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The contractor has filed an O. P. No. 22784/99 on 14-9-1999 and also submitted a representation to Hon'ble Minister for Finance on 15-9-1999.

The Executive Engineer in his letter dated : 25-10-1999 has requested the Assistant Executive Engineer, Sub -Division, Thirssur to submit the above bill for payment since the Court has directed to settle the claim with in three months. On the basis of this payment has been made in Cheque No. B(a) 894564 dated : 1-11-1999 for Rs. 2,10,878.

The following bills were seen made payment by overlooking the seniority under the head of account 2059-01-053-99- Office Building.

Sl. No.	*Bill No. & Date*	*Name of Work*	*Name of contractor*	*Cheque No & Date*
(1)	(2)	(3)	(4)	(5)
1.	53/99-2000 dt. 7-7-1999	Spl. Repairs to the Forest Office, Thrissur	K. P. Ajayan	No. 486697 dt. 17-9-1999 (Rs. 1,03,060)
2.	93/99-2000	Urgent Spl. Repairs Govt. Text Book Depot at Veliyannoor, Thrissur.	C.G.Lakshmana Kumar	No. 486661 dt. 30-8-1999 (Rs. 2,54,031)
3.	101/99-2000 dt. 17-8-1999	Urgent Spl. repairs Dist. Panchayat Divn. Office, Thrissur	B. Prasanth	No. 486690 dt. 16-9-1999 (Rs. 1,75,939)

2059-01-051-90-Treasury:

Providing additional facilities for computerisation of Sub- Treasury, Thriprayar (Bill No. 307/98-99 dated : 31-3-1999)

The work is seen executed and bill has been submitted for Rs. 57,900. The payment against this has not been made so far want of fund and letter of Credit. The file is not submitted for verification and the D.A. is of the opinion that the file is missing. But an amount of Rs. 12,104 has been paid to Sri. K. R. Anandaraman Contractor (Bill No. 79/99-2000 dated: 23-7-1999) for the work reconstruction of compound wall of Sub-Treasury, Chalakkudy. (Cheque No. 489790 dated : 23-7-1999). One bill has seen submitted by the Contractor from M/S. Sreekrishna Cements

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and hardwares, Nandipulam (Bill No. 717 dated :16-3-1999) for Rs. 16,600 for the cost of cement of 98 bags @ Rs. 170. The payment is seen limited to Rs. 12,104 for 89 bags of cements @ Rs. 136. Here also payment is seen made by overlooking seniority of the petitioner.

Details of Fund and Letter of Credit Received during the I and II Quarter of 1999-2000 is as follows:

			Funds	*Letter of Credit*	
1.	2059-01-051-90	Treasury	I+II Qtr. 1,00,000+Nil		
2.	2059-01-051-95	Regn.	Nil+ 1,69,000	Ist Quarter : 2,00,000 IInd Quarter: 1.75.000	
3.	2059-01-051-98	A. J.	1+0.5- 1,50,000	Total:	3.75.000
4.	2059-01-053-99	Office Building	18L+17L 35,00000	Ist Quarter: 18,00,000 IInd " 16.70.000 Total	**34.70.000**
5.	2059-60-051-86	VVIP	2,00,000		2,00,000
6.	2059-60-051-88	Jail	0+ 0.75		
7.	2059-60-051-89	Police	1.5 + OL		2.26.000
8.	2059-60-051-98	A.J.	0 + 1.25L	Total:	4.26.000
9.	2059-60-053-96	FW	2 + 2L		15,00,000
10.	2059-60-053-99	Other Building	13 + 14L	Total:	13.89.000 **28.89.000**
11.	2059-80-053-99	RH	12+ 11	Ist 10,60.000 IInd 7.46.000 Total:	17.46.000

From the above it is clear that the division Office has made payments under the head of Accounts 2059-60-053-99, 2059-01-051-99 and 2059-01-051-90 by overlooking seniority as accused by the petitioner, which is aganist the Judgement in O.P. No. 12368/93 of the Hon'be High Court of Kerala and against the spirit of the Government Circular No. 18942/D1/96/PW&T dated : 3-6-1996.

The statement of Executive Engineer that sufficient fund and Letter of Credit was reserved for the above contractor cannot be accepted because it is clear that the Executive Engineer has willfully delayed the paymnet by arising objection for no faults on the part of the Contractor but the Assistant Executive Engineer Sub-Division, Thrissur has made alternation in the original estimate.

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In the above circumstances, Sri. O. P. Chacko, the Executive Engineer and Sri. P. Surendran, the Divisional Accountant of the Buildings Division, Thrissur may be transferred immediately and a Departmental Enquiry conducted regarding the payments made to the contractors during the tenure of present Executive Engineer and Divisional Accountant and is found guilty, deciplinary action may be initiated against them.

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